

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 23-5087****September Term, 2023****1:20-cv-02996-RCL****Filed On:** February 21, 2024

Estate of Max D. Steinberg, By and through  
its Special Administrator Stuart Steinberg, et  
al.,

Appellants

v.

Republic of Sudan and United States of  
America,

Appellees

**BEFORE:** Henderson, Millett, and Walker, Circuit Judges

**ORDER**

Upon consideration of the motions for summary affirmance, the opposition thereto, and the replies, it is

**ORDERED** that the motions be granted. The merits of the parties' positions are so clear as to warrant summary action. See Taxpayers Watchdog, Inc. v. Stanley, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam). The district court correctly concluded that it lacked subject matter jurisdiction over the appellants' amended complaint against Sudan. See Mark v. Republic of the Sudan, 77 F.4th 892, 897-98 (D.C. Cir. 2023). However, the district court should have dismissed the amended complaint without prejudice, see id. at 899, and we therefore modify the district court's March 29, 2023 order to reflect a dismissal without prejudice.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

**Per Curiam**